

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAVID ERNESTO MACKEY,

Plaintiff,

vs.

MOORE, et al.,

Defendants.

1:21-cv-00607-GSA-PC

**ORDER STRIKING COMPLAINT FOR
LACK OF SIGNATURE
(ECF No. 1.)**

**ORDER FOR PLAINTIFF TO FILE A
FIRST AMENDED COMPLAINT
BEARING HIS SIGNATURE WITHIN
THIRTY DAYS**

David Ernesto Mackey ("Plaintiff") is a civil detainee proceeding *pro se* with this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on April 12, 2021. (ECF No. 1.) The Complaint is not signed by Plaintiff. All filings submitted to the court must bear the signature of the filing party. Local Rule 131; Fed. R. Civ. P. 11(a).

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's Complaint, filed on April 12, 2021, is STRICKEN from the record for lack of signature;
2. The Clerk's Office shall send Plaintiff a § 1983 form complaint;
3. Within thirty days from the date of service of this order, Plaintiff is required to file a First Amended Complaint bearing Plaintiff's original signature; and

4. Plaintiff's failure to comply with this order shall result in the dismissal of this case.

IT IS SO ORDERED.

Dated: **April 15, 2021**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE